J KEVIN ELLIS P O BOX 1616 MORGANTOWN, WV 26507-1616

## **DECLARATION OF OIL AND GAS NOTICE**

(Tax Map 3, Liberty District, Marshall County, West Virginia)

The undersigned hereby declares:

- (1) The undersigned is the owner (or lessee) of one or more coal seams or workable coal beds as those terms are defined in Section One, Article Six, Chapter Twenty-two (Section 22-6-1) of the Code of West Virginia.
- (2) The coal seam(s) or workable coal bed(s) are owned or leased partly or wholly by the undersigned lies under the surface of lands described in the Exhibit A attached hereto and made a part hereof.
- (3) The undersigned desires to be given all notices of oil and gas operations provided by Sections Twelve, Thirteen, Fourteen, Twenty-three and Thirty-six of Article Six, Chapter Twenty-two (Sections 22-6-12; 22-6-13; 22-6-14; 22-6-23; and 22-6-36) of the Code of West Virginia, addressed as follows:

CONRHEIN COAL COMPANY
CONSOL PENNSYLVANIA COAL COMPANY LLC
RESERVE COAL PROPERTIES COMPANY

CONSOLIDATION COAL COMPANY
McELROY COAL COMPANY
CNX LAND RESOURCES INC.

C/O LEATHERWOOD, INC. 1000 CONSOL ENERGY DRIVE CANONSBURG, PA 15317-6506

DENNIS R. McCRACKEN its MSI. LIANAGE	by authority duly given.
corporate name to be subscribed hereto this $\stackrel{\textstyle >}{\nearrow}$ day o	f JANUARY , 2009, by
IN WITNESS WHEREOF, Conrhein Coal Company,	, a Pennsylvania corporation, has caused its

JAN PEST
MARSHALL County 09:26:08 AM
Instrument No 1265728
Date Recorded 03/13/2009
Document Type 0&G
Book-Page 677-602
Recording Fee \$6.00
Additional \$6.00

CONRHE N COAL COMPANY a Pennsylvania corporation:

IS: ASSISTANT MANA

IN WITNESS WHEREOF, Consoli	dation Coal Compa	oany, a Delaware corporation, has c	aused its
corporate name to be subscribed here	eto this $33$ day	of JANUARY,	2009, by
ROBERT P. KING its VIC	E PRESIDENT	, by authority duly given.	
	CONSOLIDA	OATION COAL COMPANY	
	a Delaware	e corporation:	
	Ву:	/:	
	Its:	: VICE PRESIDENT	
	n 1 : 0:-1	I Camarani II C. a Delawara limitad li	ability
		l Company LLC, a Delaware limited lia	
company, has caused its corporate name			
2009, by		<b>SIDENT</b> , by authority duly given.	
		PENNSYLVANIA COAL COMPANY LLC re limited liability company:	
	a belaware	//	_
	Ву	y:	<del></del>
	Its	s: VICE PRESIDENT	
		ompany, a Delaware corporation, has	
its corporate name to be subscribed her	eto this <u>A</u> day o	of JANUARY 20	109, by
LLOYD C. PRICE, its VIC	CE PRESIDENT	<b>T</b> , by authority duly given.	
	RESERVE C	COAL PROPERT <del>IES</del> , COMPANY	
	a Delaware	re corporation:	
	By	They's claim	
	( Its	VICE PRESIDENT	
	irs	J <del></del>	

gm 677 \*= 604

IN WITNESS WHEREOF, CNX Land Resources Inc., a Delaware corporation, has caused its corporate name to be subscribed hereto this day of SALICARY, 2009, by LLOYD C. PRICE  CNX LAND RESOURCES INC., a Delaware corporation:
MCELROY COAL COMPANY a Delaware corporation:  By: Library Libr
MCELROY COAL COMPANY a Delaware corporation:  By: Library Libr
IN WITNESS WHEREOF, CNX Land Resources Inc., a Delaware corporation, has caused its corporate name to be subscribed hereto this day of SAUCARY, 2009, by LLOYD C. PRICE, it VICE PRESIDENT, by authority duly given.  CNX LAND RESOURCES INC. a Delaware corporation:
Its: Vice President  IN WITNESS WHEREOF, CNX Land Resources Inc., a Delaware corporation, has caused its corporate name to be subscribed hereto this 3 day of SALICIARY, 2009, by LLOYD C. PRICE, it VICE PRESIDENT, by authority duly given.  CNX LAND RESOURCES INC. a Delaware corporation:
Its: Vice President  IN WITNESS WHEREOF, CNX Land Resources Inc., a Delaware corporation, has caused its corporate name to be subscribed hereto this day of SALICIARY, 2009, by LLOYD C. PRICE, it VICE PRESIDENT, by authority duly given.  CNX LAND RESOURCES INC. a Delaware corporation:
Its: Vice President  IN WITNESS WHEREOF, CNX Land Resources Inc., a Delaware corporation, has caused its corporate name to be subscribed hereto this day of SALICIARY, 2009, by LLOYD C. PRICE, it VICE PRESIDENT, by authority duly given.  CNX LAND RESOURCES INC. a Delaware corporation:
IN WITNESS WHEREOF, CNX Land Resources Inc., a Delaware corporation, has caused its corporate name to be subscribed hereto this day of LLOYD C. PRICE, its ICE PRESIDENT, by authority duly given.  CNX LAND RESOURCES INC. a Delaware corporation:
CNX LAND RESOURCES INC. a Delaware corporation:
CNX LAND RESOURCES INC. a Delaware corporation:
LLOYD C. PRICE , it VICE PRESIDENT , by authority duly given.  CNX LAND RESOURCES INC. a Delaware corporation:
CNX LAND RESOURCES INC. a Delaware corporation:
CNX LAND RESOURCES INC. a Delaware corporation:
a Delaware corporation:
a Delaware corporation:
I the
W: Jaga Julian
Its: VICE PRESIDENT
स्थान स्थान
COMPANIES CONSCIUDATION COM COMPANIES
NOTE: PLEASE PROPERLY INDEX THIS DOCUMENT (1) UNDER CONSOLIDATION COAL COMPAN CONSOL PENNSYLVANIA COAL COMPANY, RESERVE COAL PROPERTIES COMPANY, CONRHEIN COAL
COMPANY, MCELROY COAL COMPANY, AND CNX LAND RESOURCES INC. AS A GRANTOR, AND (
UNDER THE NAMES OF EACH OF THE INDIVIDUAL SURFACE OWNER NAMES LISTED ON THE ATTACHE
EXHIBIT A AS <u>GRANTORS</u> , ACCORDING TO LAST NAME AND/OR ENTITY NAME.
COMMONWEALTH OF PENNSYLVANIA
COUNTY OF WASHINGTON
Before me, JALE H. YOULG, a Notary Public, on this day personally appeared <b>DENNIS R. MCCRACKEN</b> , known to me to be the person whose name is
personally appeared <b>DENNIS R. McCRACKEN</b> , known to me to be the person whose name is subscribed to the foregoing instrument, and known to be the ASST. MANNACEOF CONRHEIN COAL
COMPANY, a PENNSYLVANIA corporation, and acknowledged to me that he executed said instrument
for the purposes therein expressed as the act of said company. Given under my hand and seal of office
this 33 day of THILLIARY 2009.
COMMONWEALTH OF PENNSYLVANIA Notary Public
Notarial Seal
Cecil Twp., Washington County My Commission Expires June 20, 2009 Member, Pennsylvania Association of Notaries

# COUNTY OF WASHINGTON Before me, JANE AL YOUNG a Notary Public, on this day personally appeared ROBERT P. KING , known to me to be the person whose name is subscribed to the foregoing instrument, and known to be the **VICE PRESIDENT** CONSOLIDATION COAL COMPANY, a DELAWARE corporation, and acknowledged to me that he executed said instrument for the purposes therein expressed as the act of said company. Given under my hand and seal of office this 33 day of JANUARY \_\_\_, 2009. COMMOTENEALTH OF PENNSYLVANIA Notarial Seal Jane M. Young, Notary Public Cecil Twp., Washington County My Commission Expires June 20, 2009 Member, Pennsylvania Association of Notaries My Commission expires COMMONWEALTH OF PENNSYLVANIA COUNTY OF WASHINGTON Before me, JAKE H. YCUNG, a Notary Public, on this day personally appeared **ROBERT P. KING**, known to me to be the person whose name is subscribed to the foregoing instrument, and known to be the VICE PRESIDENT of CONSOL PENNSYLVANIA COAL COMPANY LLC, a DELAWARE limited liability company, and acknowledged to me that he executed said instrument for the purposes therein expressed as the act of said company. Given under my hand and seal of office this 33 day of JANIJARY, 2009. COMMENWEALTH OF PENNSYLVANIA Notarial Seal Jane M. Young, Notary Public Cecil Twp., Washington County My Commission Expires June 20, 2009 Member, Pennsylvania Association of Notaries My Commission expires COMMONWEALTH OF PENNSYLVANIA COUNTY OF WASHINGTON Before me JALE LI YOULLO , a Notary Public, on this day personally appeared LOYD C. PRICE , known to me to be the person whose name is subscribed to the foregoing instrument, and known to be the VICE PRESIDENT OF RESERVE COAL PROPERTIES COMPANY, a DELAWARE corporation, and acknowledged to me that he executed said instrument for the purposes therein expressed as the act of said company. Given under my hand and day of JANUARY seal of office this COMMONWEALTH OF PENNSYLVANIA **Notarial Seal** (SEALM. Young, Notary Public Cecil Twp., Washington County My Commission Expires June 20, 2009 Member, Pennsylvania Association of Notaries My Commission expires

COMMONWEALTH OF PENNSYLVANIA

# 30th 677 757 606

State of West Vicpinia  COMMONWEALTH OF PENNSYLVANIA
COUNTY OF Marshall
Before me, Jayson C. Johnson , a Notary Public, on this day personally appeared Charles T. Shaynak, known to me to be the person whose name is subscribed to the foregoing instrument, and known to be the Vice President of MCELROY COAL COMPANY, a DELAWARE corporation, and acknowledged to me that he executed said instrument for the purposes therein expressed as the act of said company.  Given under my hand and seal of office this day of January , 2009.
OFFICIAL SEAL NOTARY PUBLIC STATE OF WEST VIRGINIA JAYSON C. JOHNSON CNX LAND RESOURCES INC. RD 4 BOX 425 MOUNDSVILLE, WV 26041 My commission expires December 3, 2018 My Commission expires December 3, 2018 My Commission expires December 3, 2018
COMMONWEALTH OF PENNSYLVANIA COUNTY OF <u>いかられたとうでん</u>
personally appeared LOYD C. PRICE , known to me to be the person whose name is subscribed to the foregoing instrument, and known to be the VICE PRESIDENT of CNX LAND RESOURCES INC., a DELAWARE corporation, and acknowledged to me that he executed said instrument for the purposes therein expressed as the act of said company. Given under my hand and seal of office this day of
(SEAL)  COMMONWEALTH OF PENNSYLVANIA  Notarial Seel  Jane M. Young, Notary Public Cecil Twp., Washington County My Commission Expires June 20, 2009  Member Pennsylvania Association of Notarial My Commission expires

This Document Prepared By: J. Kevin Ellis WV Bar No. 9964 Steptoe & Johnson PLLC 1085 Van Voorhis Road PO BOX 1616 Morgantown, WV 26507 (304) 598-8000

# Tax Map 3, Liberty District, Marshall County, West Virginia EXHIBIT A - SURFACE TRACTS (Mcelroy Mine)

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	3	3	3	3	3	3	3			J.			ω.	3	3	3	3	3			Tax Map
1 4	13	12	11	10	9	7	6.1			6			5	4	3.1	3	2	1			Parcel
INCEL BOY COAL COMPANY	MCELROY CC	2 NEELY	SHEPHERD	MCELROY CC	9 YEATER	DOBBS	6.1 MASON	HAMMERS	MURPHY	6 MASON	HAMMERS	MURPHY	MCELROY CC	MCELROY CC	3.1 SCHOENE	3 SCHOENE	2 STERN	MASON	HAMMERS	MURPHY	Last Name
AIN VOIND IVE	13 MCELROY COAL COMPANY	ROBERT S ET UX	WILLIAM H & JERRY L	10 MCELROY COAL COMPANY	BARBARA L	DONALD B ET UX	ESTHER & JOHN	JACK & PAUL	JOHN D ET UX	ESTHER & JOHN	JACK & PAUL	JOHN D ET UX	5 MCELROY COAL COMPANY	4 MCELROY COAL COMPANY	MICHAEL	MICHAEL	GARY ET UX	ESTHER & JOHN	JACK & PAUL	JOHN D ET UX	First Name
1000 CONSOL ENERGY DR	1000 CONSOL ENERGY DR	RD 5 BOX 504	RD 5 BOX 512	1000 CONSOL ENERGY DR	RR 5 BOX 508	PO BOX 53							1000 CONSOL ENERGY DR	1000 CONSOL ENERGY DR	RR5 BOX 628 B	RR 5 BOX 628 B	RD 5 BOX 628				Street Address
CANONSRIBG	CANONSBURG	CAMERON	CAMERON	CANONSBURG	CAMERON	CAMERON							CANONSBURG	CANONSBURG	CAMERON	CAMERON	CAMERON		-		City
ρA	PA	WV	WV	PA	WV	WV	7	0					PA	PA	VW	WV	WV				State
15317	15317	26033	26033	15317	26033	26033							15317	15317	26033	26033	26033				Zip
101.384 A BIG RUN	105 ACRES BIG RUN SURFACE	35.845 A BIG RUN	151 1/2 N CAMERON	63.09 N CAMERON & BIG RUN	57.027 N CAMERON & BIG RUN	16.91 NEAR CAMERON	8.350 A CAMERON RIDGE			93.036 CAMERON RIDGE			5 SQUIRREL ALLEY	7.05 ACRES SQUIRREL ALLEY 1975 MOBILE	5.056 A SQUIRRELL ALLEY	50.414 A SQUIRRELL ALLEY	22 CAMERON RIDGE	142 CAMERON RIDGE			Assessment Description
672/229	670/332	595/58	627/511	662/379	WB41/457	544/187	WB48/96			WB48/96	_		671/528	671/528	727/94	617/609	603/464	WB48/96			Reference

### STATE OF WEST VIRGINIA, MARSHALL COUNTY, SCT.:

I, JAN PEST, Clerk of the County Commission of said County, do hereby certify that the annexed writing, bearing date on the 2311 day of January 2009, was presented for and by me, admitted to record in my office upon the above certificate as to the parties therein named this 1371 day of March 2007 at 9.0 clock M.